



pending trial. Judge Jones's written order was filed that same day. On 10 February, Elshiekh filed her motion for review of the detention order, which includes a request for a copy of the transcript of the hearing.

On 21 February, a nine-count indictment issued against defendants, and the government filed a notice of related case, noting that the third defendant in this case, Hysen Sherifi, was previously prosecuted and sentenced in case 5:09-CR-216-FL. On 24 February, U.S. District Judge Louise W. Flanagan disqualified herself from consideration of assignment of the instant case, whereupon the case was randomly assigned to the undersigned. Upon such assignment, the Clerk's office contacted counsel for both defendants regarding the scheduling of hearings on their motions for review of the detention orders. Counsel were informed that another Article III judge could hold hearings on the instant motions on 29 February. However, counsel were also informed that copies of transcripts of the detention hearings would not be available by that time. All counsel had scheduling conflicts with the proposed hearing date and reiterated their desire for a copy of the transcript prior to any hearing.

A hearing on Elshiekh's motion for review of the detention order is hereby SET for 8 March 2012, at 10:00 a.m., Federal Courthouse, 310 New Bern Avenue, Raleigh, North Carolina, Courtroom 2. The court will conduct a *de novo* review and will consider the transcript of the preliminary and detention hearing, any additional evidence offered by the parties, any briefs filed by the parties, and the arguments of counsel.

Because of the length of Sherifi's preliminary and detention hearing, a court reporter is unable to transcribe that hearing as quickly as Elshiekh's. As soon as the transcript of Sherifi's preliminary and detention hearing is filed, the court will set a hearing on his instant motion. If

Sherifi desires a hearing without the benefit of the written transcript, counsel shall file written notice of the same on or before 2 March 2012.

This 27 February 2012.

A handwritten signature in green ink, appearing to read "W. Earl Britt", is positioned above a horizontal line.

W. Earl Britt  
Senior U.S. District Judge